



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,840	04/04/2002	Tomonori Fujisawa	K-2045	4988
32628	7590	11/02/2005		
KANESAKA BERNER AND PARTNERS LLP SUITE 300, 1700 DIAGONAL RD ALEXANDRIA, VA 22314-2848			EXAMINER NGUYEN, BINH AN DUC	
			ART UNIT	PAPER NUMBER
			3713	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/089,840	Applicant(s) FUJISAWA ET AL.	
	Examiner Binh-An D. Nguyen	Art Unit 3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 21 March 2005.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-4 and 7-9 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-4 and 7-9 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some * c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6) <input type="checkbox"/> Other: _____.
---	--

DETAILED ACTION

The Amendment filed March 21, 2005 has been received. According to the Amendment, claims 5 and 6 have been canceled; claims 1-4 and 7 have been amended; and new claims 8 and 9 have been added. Currently, claims 1-4 and 7-9 are pending in the application. Acknowledgment has been made.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4 and 7-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Bunney et al. (6,446,112).

Referring to claim 1, Bunney et al. teaches a method for searching a participant or participants in an online game or online chatting, comprising: receiving participant search information from one of subscribers in starting the online game or online chatting on a network to which a plurality of subscribers is connected with a network server as a core (abstract; 1:48-2:36; Fig.1); managing a channel and a relation between an ID and an IP address of all of the subscribers currently logging-in; collating attribute information

concerning the subscribers stored in the server to the participant search information (5:3-46); selecting another of the subscribers other than the one of the subscribers corresponding to the participant search information and also currently connected to the network; distributing participant recruiting information to the another of the subscribers (4:37-5:8); and returning participant acceptance information from the another of the subscribers having accepted the recruiting information to the one of the subscribers.

Referring to claim 2, Bunney et al. teaches a participant search device used for an online game or online chatting performed on a network to which a network server and a plurality of network terminals are connected (abstract; 1:48-2:36; Fig.1), wherein said network server comprises: a subscriber attribute information storage section for storing attribute information for network subscribers (4:31-5:46); an ID storage section for storing therein IDs of the subscribers (3:66-4:22); a participant selection section for selecting at least one of the subscribers satisfying conditions specified in a request from another of the subscribers with the attribute information stored in the subscriber attribute information storage section; and a log-in monitoring section for managing a relation between an ID and an IP address of all of the subscribers currently logging-in and a channel (1:4-39; 7:27-9:56), wherein each of the network terminals comprises: an ID retaining section for retaining an ID assigned to the each of the terminals from the network server, and an IP recording section for temporally recording therein an IP address assigned by a provider to which each of the subscribers subscribes during an online mode until an operation for switching to an offline mode is performed. Note that, the limitations of a network terminal comprising an ID retaining section for retaining an

ID assigned to the terminal from the network server, and an IP recording section for temporally recording therein an IP address assigned by a provider to which each of the plurality of network subscribers subscribes during the online mode until an operation for switching to the offline mode (disconnecting internet browser) is performed, are inherent from internet browser interface which temporarily stores browsing data and address in the terminal (1:4-39; 9:21-10:59).

Referring to claim 3, Bunney et al. teaches each of the network terminals further comprises an ID storage section for selecting candidates for ID exchange from the subscribers and storing the subscribers IDs in the each of the network terminals (9:21-34).

Referring to claim 4, Bunney et al. teaches a network server having a communication server section for searching a participant or participants in an online game or online chatting, wherein the communication server section comprises: a subscriber attribute information storage section for storing therein attribute information for network subscribers (abstract; 1:48-2:36; Figs.1, 4); an ID storage section for storing therein the subscribers' IDs; a participant selection section for selecting at least one of the subscribers with the attribute information having been stored in the subscriber attribute information storage section in response to a demand from another of the subscribers; and a log-in monitoring section for managing a relation between an ID and an IP address of all of the subscribers currently logging-in and a channel (1:4-39; 7:27-9:56).

Referring to claim 7, Bunney et al. teaches a computer program for a network server embedded in a computer readable medium for searching a participant or participants in an online game or online chatting comprising the steps of: managing a channel and a relation between an ID and an IP address of all of subscribers currently logging-in, receiving participant search information from one of the subscribers connected to a network (1:4-39; 7:27-9:56); collating the participant search information to attribute information for the network subscribers stored in the server and selecting another of the subscribers currently connected to the network; distributing participant recruiting information to the another of the subscribers (4:37-5:8); and returning participation acceptance information for the another of the subscribers having accepted the recruiting information to the one of the subscribers (4:31-5:46).

Referring to claims 8 and 9, Bunney et al. teaches said managing the channel and the relation includes managing a channel and a relation between servers (5:3-32).

Response to Arguments

Applicant's arguments filed March 21, 2005 have been fully considered but they are not persuasive. Applicants' arguments regarding Bunney et al. not teaching or suggesting the limitation of managing the channel and the relation between the ID and the IP address of all of the subscribers currently logging-in (applicants' remarks, page 10, second paragraph; page 11, third paragraph; and page 12, second paragraph) are deemed not to be persuasive. In the communication network of Bunney et al. the chat proxy 39 for IRC servers 40 provides name translation, additional security and

additional services. The applicants are referred to the wrapper or proxy (column 10, line 60 to column 12, line 2) which has been provided manage the communication channels to enable one-to-one and many-to-many discussion or chat groups; further, different types of attributes such as chat type (on-going, periodic, temporary, fixed one-time) could be established after the user being authenticated and authorized. Thus, the chat system of Bunny et al. clearly anticipate the limitation of managing the channel and the relation between the ID and the IP address of all of the subscribers currently logging-in.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D. Nguyen whose telephone number is 571-272-4440. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BN


XUAN M. THAI
SUPERVISORY PATENT EXAMINER
TC3700